IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Revision No. 4574 of 2006

Date of decision: 26.03.2007

Inayat Mashih and others

..... Petitioners.

Versus

Gram Panchayat Bohli

..... Respondent.

CORAM: HON'BLE MR. JUSTICE M.M. AGGARWAL

Present:- Mr. N.S. Shekhawat, Advocate
for the petitioners.

Mr. C.B. Goel,Advocate
for the respondent.

M.M.AGGARWAL, J. (ORAL)

This is petition against judgment dated 12.06.2006 of Additional District Judge, Kurukshetra whereby appeal filed by the plaintiff- petitioners against the order of the trial Court was dismissed.

It comes out that the present petitioner-plaintiffs had filed a suit for declaration with consequential relief of permanent injunction on the grounds that they were in possession of the property in dispute and defendant-respondent Gram Panchayat should not dispossess them. Along with the suit, an application under Order 39 Rules 1 and 2 of Code of Civil Procedure was also filed by the plaintiff-petitioners and that application was dismissed by the trial Court. Plaintiff- appellants filed an appeal, which was also dismissed by the first appellate Court.

On behalf of the petitioners, it is argued that petitioners are in possession, whereas on behalf of the respondent-Gram Panchayat, it is stated that possession is with the Gram Panchayat and petitioners are not able to prove their possession at all.

By concurrent orders of two Courts below, injunction had not been granted in favour of the petitioners. At this stage, I am not inclined to interfere with the orders.

Since the Gram Panchayat is a party and possession is disputed one and the suit had been filed by the plaintiffs in the year 2004, it will be proper for the trial Court to dispose of the suit expeditiously by giving short adjournments.

Accordingly, this petition is disposed of with the direction to trial Court to dispose of the case expeditiously within a period of six months from the next date fixed by the trial Court.

March 26 , 2007 **(M.M. AGGARWAL)**
Dinesh **JUDGE**